

GARDNERVILLE TOWN BOARD

Meeting Minutes

May 3, 2005

- **The meeting was called to order by Chairman Cook. The pledge of allegiance was led by Robbie Park.**

PRESENT:

Thomas J. Cook, Chairman
Michael W. Philips, Vice-Chairman
Randall P. Slater
Jerry L. Smith

Michael S. Rowe, Town Counsel
Jennifer Roman, JWA Consulting Engineers
Jim Park, Town Manager
Carol Louthan, Administrative Assistant

ABSENT:

Paul Lindsay

GUESTS: A list of those present is included in the file of the May 3, 2005 meeting.

- Approval of the Agenda

Motion Smith/Philips to approve the agenda as submitted. Motion carried with Board member Lindsay absent.

- Approval of Previous Minutes

- April 5, 2005 Town Board Meeting

Motion Philips/Smith to approve the minutes of the April 5, 2005 Town Board meeting. Motion carried with Board member Lindsay absent and Board member Slater abstaining (was not present at the April 5, 2005 meeting).

- Discuss Good News in Gardnerville

Mr. Park announced GE Elfun was successful in getting several thousand dollars for a Town project doing three-rail vinyl fencing for Serenity Park. GE Elfun has helped the Town with countless hours of labor and material in the last few years.

- Public Comment on Any Item Not on Tonight's Agenda-No Board Action

Ms. Vicki J. Roberts, Gardnerville resident, appreciates the information that gets out to all the residents. Last winter some of the Board members took exception to some of the comments of the news reports in the paper. Her question is in regards to this article in the paper about the lighting project in Gardnerville. Mr. Park was quoted as saying "The community wants to see that" referencing the lights. Could you give definition –

Mr. Park pointed out that is his personal opinion. There has been no one call to say they were against this lighting.

Ms. Roberts asked if he polled people?

Mr. Park did not do a poll.

Mr. Slater stated he has asked people their feelings. He has not had one person that has not felt the lights they have done and the lights they are considering doing are not what they would like to see.

Ms. Roberts believed there were different subcommunities. People have brought it up to her because she is one of the few people who attend the meetings. She asked if all the people they have talked to agreed it was worth the 1.2 million?

Mr. Slater answered they agreed it should be phased in.

Mr. Cook announced Boy Scout Robbie Park will earn part of his merit badge by introducing one of the guests this evening.

Mr. Robbie Park introduced Mr. Ron Schmidt. He is part of the Sparks City Council, President of Nevada League of

Cities, represents the Cities and Municipalities of Nevada three times this year and used to be a life scout.

Mr. Schmidt, President of Nevada League of Cities, and councilman for the City of Sparks, made a commitment to visit all the cities and municipalities in the State of Nevada. He wanted to thank them for their contributions. Mr. Cook has been on the Board for six or eight years. He is here to say thank you very much for all they do. Wanted to remind everyone about the conference in Las Vegas in October and also December in Charlotte, North Carolina.

Mr. Cook stated the conference will tie into the 100th anniversary of Las Vegas.

CONSENT CALENDAR

Consent items may be pulled at the request of Board Members wishing to have an item or items further discussed. When items are pulled for discussion, they will be automatically placed at beginning of the Administrative Agenda. All items shall include discussion and possible action.

➤ **Motion to approve consent calendar.**

TOWN DEPARTMENTS

1. Accept Health and Sanitation Monthly Report
Accepted
2. Accept Public Works Monthly Report
Accepted
3. Accept Parks Department Monthly Report
Accepted

CORRESPONDENCE

4. Correspondence
Read and noted

TOWN MANAGER

5. Approve Claims for April 2005
Approved
6. Approve budget transfers
Approved
7. Recommend approval of a Douglas County Outdoor Festival Entertainment Event application for the 95th Annual Carson Valley Days, June 11-12, 2005
Approved
8. Approve co-sponsoring Old Town Days event, providing music, and submitting for a Douglas County Outdoor Festival Entertainment event application for the event to be held at Heritage Park September 30-October 2, 2005, in conjunction with the Comstock Civil War Re-enactors
Approved

Motion Slater/ Smith to approve the consent calendar as submitted. Motion carried with Board member Lindsay absent.

ADMINISTRATIVE AGENDA

IF ANY ITEMS WERE PULLED FROM THE CONSENT CALENDAR, THOSE ITEMS WILL BE HEARD AT THIS POINT

PROCLAMATIONS

9. Discussion and possible action on Proclamation 2005-02, recognizing the 3rd Annual "Swing for a Cure" golf tournament in memory of Sharkey Begovich

Mr. Cook presented the proclamation to Ms. Begovich and Ms. Louie representing the "Swing for a Cure" golf tournament in memory of Sharkey Begovich.

Ms. Louie advised they have two golf tournaments in one. They are running two flights. They will continue with all the sponsors and everyone to get this cancer center built.

PUBLIC HEARINGS

10. Discussion and possible action on a public hearing to adopt the Final Budget for Fiscal Year 2006, all departments and funds

Mr. Park advised there have been no changes from the tentative budget. The property tax revenues stated at 823,809

remain the same. That does take into account the 3 percent and 7.11 percent action taken by the Legislature. There might be some minor changes due to the Legislature that would apply to every agency across the state. The tax rate is the same as last year, no increase.

No public comment.

**Motion Smith/Philips to approve the budget as presented for Fiscal year 2006 for all departments and funds.
Motion carried with Board Member Lindsay absent.**

11. Discussion and possible action on a Public Hearing to authorize Medium-Term Obligations in an amount of up to \$1,200,000 to enable the Board to pay all or a portion of the cost of relocating certain utilities and acquiring, constructing, improving and equipping a street lighting project, and other matters properly related thereto

Mr. Park noted everyone is aware they are looking at doing another phase of Main Street lighting. The project limits would be from Mill Street to Church Street. They have put in a funding application to the Nevada Department of Transportation. They are looking at a \$500,000 funding request. They should know in the next 60 days or so if the funding will be approved. If it is approved, staff would be recommending to reduce the 1.2 million by approximately 500,000. They would be looking at bonding somewhere around \$850,000. An improvement to the 395 corridor not only for residents, but for visitors also. This is also a safety enhancement, safety upgrade, to remove those wooden poles off 395. This needs to be approved by the Department of Taxation so they can determine there is no adverse, negative impact to the community or the agency's ability to pay. He doesn't feel there will be an issue there. The Board of County Commissioners also needs to notice a meeting and take action to approve moving forward. If the project moves forward, they would get a final design. There are somewhere between 20 and 25 new lights going in. It would take the poles from Mill Street on the right side all the way down to All American Tire, which is now Bad Bonz and remove those off of 395. The Cobra heads on the west side would go away and new decorative lighting would be installed on that side of the road as well. In terms of could they go and do four or five at a time, no they couldn't. They are looking at saw cutting and removing concrete behind the curb. They are have two options. The option most favorable is to move those facilities off of 395 into some existing easements and leave it overhead. The cost for undergrounding would almost double.

Mr. Slater asked if this had been discussed at the community planning workshop at all?

Mr. Park answered yes they are aware the Town is continuing to make these improvements. The Board has a joint meeting May 25 with the workshop to follow that meeting. He believes that will continue to be one of the recommendations from the committee at the workshop. What he heard was they liked the idea of new sidewalks, street trees, new lighting and they would like to continue to see those kinds of improvements in the downtown core.

Chairman Cook was at the meeting. They didn't do a lot of formal things, but the feeling was that will come. They felt the Town should continue with it.

Mr. Smith agreed the calls he received wondered why they didn't finish it in the first phase.

Mr. Park said it is an expensive project. It is a project that won't get any cheaper to do as the years go on.

Chairman Cook reviewed they are looking at 1.2 million max and that is spread out over a ten-year period. In ten years you couldn't save that because the price will go up.

Chairman Cook opened the public hearing and called for public comment.

Ms. Vicki J. Roberts, Gardnerville resident commented since they are expressing enthusiastic support at the cost of 1.2 in a bond and perhaps only 800,000, why don't they poll the community in your next newsletter if they want a bond to go to that amount. Her opinion is the argument in ten years is fine, but the larger community is extremely worried about increasing problems with crime and they need more police help. It seems frivolous to spend this money on decoration. Every businessperson is really enthusiastic about it. But why don't they poll the community or do it in smaller increments. She is trying to express that some community members are confused, not enthusiasm. She would like to see it done in smaller increments rather than this amount at this time along with all the other expenses.

Mr. Slater pointed out Mr. Park explained why it can't be done in smaller increments.

Ms. Roberts can't get anyone to come to these meetings. She wishes the Board would talk to more of the community.

Mr. Slater stated Douglas County has some of the smallest taxes of any county in the State of Nevada. The people of Douglas County should feel fortunate that they do have people that are watching their tax rates. That is why people are moving here and not moving out, as they are in many areas.

Chairman Cook closed the public hearing and closed public comment.

Mr. Rowe clarified the dollars the Town will spend in repayment are from existing revenues and no increase in the tax rate will be required to repay this. This has been budgeted into the existing revenue stream. The second point is that the Town is a political subdivision of the County. The Town's governing ordinance specifies the services they may provide and none of those services are related to law enforcement. Were the Town to have extra dollars in its budget they do not have authority to hire additional deputies or to provide any sort of law enforcement. That is a function solely of the County.

Mr. Slater pointed out there is a community planning committee and an ongoing workshop regarding all things the Town is doing regarding lighting, beautification, planning of the Town projects. He strongly recommends anyone who is interested become active in that group.

Mr. Park advised they do publicly notice the meetings. Several times they were noticed in the Record Courier. He believes 99.9 percent of the parcel owners, whether developed or undeveloped within the town or contiguous to the town, were also noticed via mail.

12. Discussion and possible action on Resolution 2005-03, authorizing Medium-Term Obligations in an amount of up to \$1,200,000 to enable the Board to pay all or a portion of the cost of relocating certain utilities and acquiring, constructing, improving and equipping a street lighting project, and other matters properly related thereto

Chairman Cook asked if anyone wanted the resolution read?

Those present did not feel it was necessary.

Mr. Philips' personal feeling is they should proceed. If they don't move on it now they will be behind the eight ball.

Mr. Smith agreed and believed it is difficult as a Board member to know exactly on every issue which direction to go. When you are on the Board you represent the people and by representing the people, the input he receives is what he tries to act upon. This has been a good thing with the street lighting. He has not heard one person opposed. Everyone he has talked to is highly in support of it. He wanted to say he tries to represent the people and do the best he can with what information he receives.

Mr. Slater concurs with the last remarks. To spend \$1.2 million and not have anybody here discussing it except one person, it seems like they need to get more community activity going. That is one of the reasons he brings up the planning committee. It is unfortunate that more people are not involved. There isn't a lack of knowledge, but from what he can see the vast majority is in support of the project.

Chairman Cook echoed the same sentiments. Their taxes will not go up to do this. They have made sure the money is available through the tax system at the present time to pay this off. He doesn't have any problems with this at all. The people that were at the planning meeting last month were all in support of the project. They feel it will enhance the business community.

Mr. Smith felt they do not take this lightly. This has been discussed over and over for years. They are trying to do the very best they can for the citizens.

Mr. Slater noted they have people on Douglas Avenue that are asking if they can get the lighting in on Douglas Avenue. At this time they are being told it is not one of the phases they are looking at. It is cost prohibitive. 395 is only a phase.

Motion Smith to adopt Resolution 2005-03, authorizing Medium-Term Obligations in an amount of up to \$1,200,000 to enable the Board to pay all or a portion of the cost of relocating certain utilities and acquiring, constructing, improving and equipping a street lighting project, and other matters properly related thereto.

Mr. Slater asked if they have the easements to move those?

Mr. Park answered it is included in the overall cost. It is not above and beyond. In the first phase the adjacent property owners gave the easements. There is an existing easement for a good portion of the line. There is another commercial parcel

that SPPC is looking to see if they have an easement or not.

Mr. Slater seconded the motion. Motion carried with Board member Lindsay absent.

TOWN ENGINEER

13. Accept Town Engineer's monthly report of activities

Mrs. Roman reported they are ahead of schedule on the Toiyabe sidewalks. The contractor should be starting work on the Drange and Dangberg driveways this week. They do have cleanup work in all the areas they have already put in sidewalks.

Mr. Smith had two or three neighbors come up and say they were opposed and now they love them.

Mrs. Roman advised there are a couple of punchlist items.

Mr. Slater has had positive comments from everyone on how fast, efficient and uninteruptive they were.

Mrs. Roman advised the irrigation has been installed to the tree wells. The Town is installing the trees.

Mr. Park explained they will wait the 28 days to seal it until all the stamping is done and then do them all at the same time.

Mr. Slater asked what they will do with the stack of dirt they took out of the retention ponds and have stacked up by the park. That is not our land.

Mr. Park reviewed the Town has a few piles of debris. He was told by Alton Anker that the developer will eventually use that dirt and take it across the street and build a building pad.

Mr. Rowe believed the only written agreement is the development contract, which the County entered into and the Town became a party. He is not aware of any contract for storage of materials.

Mr. Park they are working with Chichester. They do have a significant amount of dirt there. They have photos of what was there. Alton has placed more dirt there. If they would like to use that dirt for foundation they are more than welcome to it. If they don't need it all, the Town will be responsible to have it hauled away. They will pay to have it disposed.

Mrs. Roman believed they could use the material at the lower embankment of the High School street extension, if that ever goes forward.

TOWN MAINTENANCE FOREMAN

14. Accept Town Maintenance Foreman's monthly report of activities

Mr. Park advised Jeff is not here tonight. Staff has been doing a great job. They are working on the restroom. They have some street sealing and crack sealing that needs to be done. Jeff has the guys spraying for weeds. They will be street sweeping tomorrow.

TOWN ATTORNEY

15. Accept Town Attorney Monthly Report of Activities

Mr. Rowe reported the second reading of the Town Sidewalk policy will be held Thursday by the County Commission. It is item 35. The meeting starts at 1:00 p.m. One of the new commissioners asked a couple questions. They explained those and it passed first reading. He will not be able to attend the second reading.

Mr. Park and Mr. Cook will try to be there.

Mr. Rowe mentioned the second item Carol brought to his attention an issue with the Street Cut Ordinance that is part of 18.07. Southwest Gas had sent back a letter when told that they needed to get a street cut permit. They believed they don't have to pay the street cut fees or get a street cut permit because they have a franchise agreement with Douglas County. He referred the matter to the District Attorney. He spoke with Robert Morris twice about it. He was going to look into it. He called today to get an update on the progress, but he did not return the call. The matter has been submitted to the DA's office for enforcement and he can't tell you where it is or what they are going to do. He will keep them posted.

Mr. Slater asked if Minden is aware this has come up?

Mr. Rowe did not notify them.

Mr. Park will notify them. Southwest Gas periodically does maintenance. Their contention is that is covered under the franchise agreement as permitted activity. The Town's standpoint is nice try. Let's work together so they don't have street cuts on brand new street sections.

Mr. Rowe went through some of the legislation he has been keeping an eye on. The term limits has failed and will not be coming out of the legislature. There was a proposed amendment requiring sidewalks within one mile of every school. He can't find any reference, so he feels it has failed. The biggest one is regarding the open meeting law. It appears that all of the previous bills have all been merged into SB 267. The bill, if passed could have an impact on the Board as it conducts its meetings in the future. A lot of the changes relate to confidentiality of closed sessions, materials handed out during the meeting, and changes to the noticing requirements. SB115 would provide an additional exemption to the noticing public meetings requirement for confidential security information.

TOWN MANAGER

16. Accept Town Manager's monthly report of activities

Mr. Park handed out a project status sheet before the meeting. AB351 has been amended. Policies and incentives for urban design, mixed use development and environmentally friendly construction under AB425 is being watched. They had a very positive community planning session. They will be meeting again on the 25th. He attended the sign ordinance meeting. There were some interesting comments. The Town Board will probably be seeing some proposed policy changes. Skip Sayre ran a very productive meeting. He felt several of the major issues were offsite directional signs and sandwich boards. Mimi Moss was there from Douglas County and pointed out sandwich boards are permitted under the latest revision if there is a Board approved community point of interest plan. He will pass those concerns along to the planning consultant. Banners are permitted as long as they are attached to the building during ten days of a month.

17. Discussion and possible action on a staff report concerning recommended operational hours for park restroom facilities

Mr. Park believes the Board knows restrooms can be problematic, but they are needed. They are prone to vandalism. With the restroom, they are operating it the way Douglas County and Minden does. There will be heat available in the building during events. They will be working with a local locksmith to put some programmable strikers in so the building can be set to be open between whatever hours they determine. They do have a part-time janitor that has been approved in the new budget next year. He was looking to limit access during peak pedestrian traffic times.

Mr. Smith asked as far as events, can't they close up the restroom at that time?

Mr. Park felt that was an option.

(Mr. Lindsay joined the meeting at 6:00 p.m.)

Mr. Park indicated they will replicate the hours of Minden. If the Board wants to put that into a policy they can put that into the operations manual. He would ask for a little time to bring that back this fall or winter.

Mr. Slater believed they should leave it up to staff to work out a schedule. It may be better not to have it as a policy. Leave it up to staff's discretion to make changes.

Mr. Park will bring something back as far as a policy.

Mr. Slater asked staff to work with Steve Orr, Douglas County Sheriff, to do periodic checks each shift.

Mr. Park noted the Board is aware they have a dozen or so youth who use the pavilion as a skateboarding facility. If the restroom is open it is more of an enticement to skateboard instead of going to the skateboard facility.

Mr. Slater asked if they are planning on having it open every day?

Mr. Park answered yes. Surprisingly enough, they have had numerous folks pull in with out-of-state plates.

Mr. Slater regarding the article by Ray Smith in the newspaper. He knows it has him bothered. He understands why it

has him bothered. He will always paint doom and gloom. He would just consider the source and let it go at that. Never argue with anyone dumber than you because you won't learn anything.

Motion Smith/Slater to adjourn at 6:13 p.m. Motion carried unanimously.

Respectfully Submitted,

Thomas J. Cook
Chairman

Jim Park
Clerk to the Board